

DEFAULT JUDGMENT MOTION COVER SHEET

MOVING PAPERS:

Please list MDL docket entries for the following filings:

Motion: ECF No. 10720

Memorandum of Law: ECF No. 10723

Declaration & Supporting Exhibits: ECF No. 10721, 10721-1, 10721-2, and 10722

DEFENDANTS:

Please list all defendants against which the plaintiffs are moving for default judgments:

Islamic Emirate of Afghanistan aka the Taliban

PLAINTIFFS:

Please describe each set of plaintiffs requesting judgments in this motion. Specify the exhibit to the proposed order in which those plaintiffs' claims are listed, a description of the plaintiffs, and the causes of action under which those plaintiffs are seeking relief.

Exhibit A – U.S.-National 9/11 Decedent Estate Plaintiffs – ATA, 18 U.S.C. § 2333

Exhibit B – U.S.-National Solatium Plaintiffs - ATA, 18 U.S.C. § 2333

COMPLAINTS:

Please list docket entries for all operative complaints cited in the attached exhibits listing plaintiffs' requested judgments:

No. 1:22-cv-001188, Grazioso, *et al.* v. the Islamic Emirate of Afghanistan, *et al.* at ECF 29

NOTICES OF AMENDMENT AND SUBSTITUTIONS:

Please list docket entries for all notices of amendment and substitutions relevant to this motion. If a substitution order incorporates by reference but does not reproduce a list of parties to be substituted, please also list the docket entry at which the list appears.

10653

Filed & Entered: 01/02/2025

Order on Motion to Substitute Party

Docket Text: ORDER granting (10648) Motion to Substitute Party. in case 1:03-md-01570-GBD-SN; granting (82) Motion to Substitute Party. in case 1:22-cv-01188-GBD-SN. The motion to substitute is GRANTED. SO ORDERED. (Signed by Magistrate Judge Sarah Netburn on 1/2/2025)

Filed In Associated Cases: 1:03-md-01570-GBD-SN, 1:22-cv-01188-GBD-SN (dsh) Modified on 1/2/2025 (dsh).

10648

Filed & Entered: 12/28/2024

Terminated: 01/02/2025

Motion to Substitute Party

Docket Text: MOTION to Substitute Party. Old Party: Joan Ann Coale, Cirilo Fernandez, Hank Grazioso, Loretta Haines, New Party: Leslie Ann Brown as Personal Representative of the Estate of Joan Ann Coale, Corazon Fernandez as Personal Representative of the Estate of Cirilo Fernandez, Kristy Grazioso as Personal Representative of the Estate of Hank Grazioso, Melanie Buchman as Personal Representative of the Estate of Loretta Haines . Document filed by Hank Grazioso(surviving Parent of John Grazioso), Hank Grazioso(as surviving Parent of Timmy Grazioso), Joanann Coale(surviving Parent of Jeffrey Coale), Cirilo Fernandez(surviving Parent of Judy Fernandez), Hank Grazioso(surviving Parent of Timothy Grazioso), Loretta Haines(surviving Sister of Sandra Wright Cartledge), Loretta Haines(a surviving Sibling of Sandra Wright-Cartledge, Deceased), Joanann Coale(is a surviving Parent of Jeffrey Coale), Loretta Haines(is a surviving Sister of Sandra Wright Cartledge), Cirilo Fernandez(is a surviving Parent of Judy Fernandez), Loretta Haines, Loretta Haines(surviving Sister of Sandra Wright Cartledge), Hank Grazioso(surviving Parent of John Grazioso), Cirilo Fernandez(surviving Parent of Judy Fernandez). (Attachments: # (1) Exhibit Exhibit A chart of Substitutions)Filed In Associated Cases: 1:03-md-01570-GBD-SN, 1:22-cv-01188-GBD-SN.(Fleming, Timothy)

10647

Filed & Entered: 12/27/2024

Suggestion of Death

Docket Text: SUGGESTION OF DEATH upon the record as to Joan Ann Coale, Cirilo Fernandez, Hank Grazioso, and Loretta Haines on August 16, 2021, April 19, 2024, January 14, 2023, and June 17, 2019, respectively. Document filed by Hank Grazioso(surviving Parent of John Grazioso), Hank Grazioso(as surviving Parent of Timmy Grazioso), Joanann Coale(surviving Parent of Jeffrey Coale), Cirilo Fernandez(surviving Parent of Judy Fernandez), Hank Grazioso(surviving Parent of Timothy Grazioso), Loretta Haines(surviving Sister of Sandra Wright Cartledge), Loretta Haines(a surviving Sibling of Sandra Wright-Cartledge, Deceased), Joanann Coale(is a surviving Parent of Jeffrey Coale), Loretta Haines(is a surviving Sister of Sandra Wright Cartledge), Cirilo Fernandez(is a surviving Parent of Judy Fernandez), Loretta Haines, Loretta Haines(surviving Sister of Sandra Wright Cartledge), Hank Grazioso(surviving Parent of John Grazioso), Cirilo Fernandez(surviving Parent of Judy Fernandez) (Attachments: # (1) Exhibit Exhibit A chart of Substitutions)Filed In Associated Cases: 1:03-md-01570-GBD-SN, 1:22-cv-01188-GBD-SN.(Fleming, Timothy)

SERVICE:

Order granting alternative service (if applicable): Grazioso ECF No. 52 on 04/17/23

Affidavit(s) of service: Grazioso ECF No. 57 on 08/02/23

Clerk's Certificate(s) of Default: Grazioso ECF No. 62 on 11/08/23

SUBJECT MATTER JURISDICTION:

Please check one.

☒ The Court previously addressed subject matter jurisdiction over these claims at MDL ECF No. 2516 entering a default judgment in *Havlish v bin Laden* as to liability against the Defendant in this action.

☐ The Court has not previously addressed subject matter jurisdiction over these claims.

PERSONAL JURISDICTION:

Please check one.

☒ The Court previously addressed personal jurisdiction over these defendants at MDL ECF No. 2516 entering a default judgment in *Havlish v bin Laden* as to liability against the Defendant in this action.

☐ The Court has not addressed personal jurisdiction over these defendants.

LIABILITY:

Please check one.

☐ These plaintiffs previously received default judgments as to liability against the relevant defendant. Those judgments are available at docket ____.

☒ This motion requests default judgments as to liability.

FACTUAL & LEGAL QUESTIONS:

Please check.

☐ This motion requests new functional equivalence findings, new personal injury assessments, or resolution of a new issue:

☒ This motion does not raise substantial new factual or legal issues.

COMPLIANCE:

As stated in MDL Doc. No. 10721 at ¶¶ 7-12, and 10722 at ¶¶ 6-7, counsel followed the quality control measures outlined in ECF No. 3433 and adopted in ECF No. 3435.

As stated in MDL Doc. No. 10721 at ¶ 13, and 10722 at ¶ 8, these plaintiffs have not previously received judgments against these defendants.

Excel versions of any tables attached to the proposed order were emailed to Netburn.NYSDChambers@nysd.uscomts.gov on February 18, 2025.